

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ANNE HUMPHREYS,	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	No. 10-cv-1302
	:	
BUDGET RENT A CAR SYSTEM	:	
INC., et al.,	:	
Defendants.	:	

ORDER

AND NOW, this 22nd day of April, 2014, upon consideration of defendants' motion to dismiss (Doc. No. 39) and any responses thereto and in accord with the accompanying memorandum, it is hereby **ORDERED** that:

1. The motion is **DENIED** in part and **GRANTED** in part.
2. Counts I, II, and IV are **DISMISSED** without prejudice.¹

BY THE COURT:

/s/Lawrence F. Stengel
LAWRENCE F. STENGEL, J.

¹ The plaintiff may file an amended complaint curing the deficiencies in Counts I and II, if the facts permit, within fourteen (14) days of the date of this order and the accompanying memorandum. The plaintiff may revive his unconscionability claim (Count IV) as an affirmative defense to any counterclaim Budget may bring.